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*ADMITTED TO A BAR OTHER THAN VA.

Date: February 20, 2004

Docket No.: 0879-0428P

MS PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a ☐ continuation ☒ divisional
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of
pending prior Application No. 09/497,120 filed on February 3,
2000, the entire contents of which are hereby incorporated by
reference, by

Masanori YOSHIDA; and Hiroshi TANAKA

for

DIGITAL CAMERA

- ☒ Enclosed is an application consisting of specification,
claims, declaration and drawings/photographs (if
applicable).

2. ☒ The filing fee has been calculated as follows:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$770.00	\$385.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	5-20 =	0	x 18 = \$0.00	x 9 = \$0.00
INDEPENDENT CLAIMS	1-3 =	0	x 18 = \$0.00	x 43 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$290.00	+ \$145.00
TOTAL			\$770.00	\$0.00

3. ☒ A check in the amount of \$770.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. ☒ Enclosed is/are seventeen (17) sheet(s) of formal drawings and/or photographs.
- 6a. ☐ A statement claiming small entity status was filed in prior Application No. 09/497,120 on _____. See the attached copy of the statement claiming small entity status.
- 6b. ☐ The current application qualifies for small entity status.
7. ☒ The prior application is assigned to Fuji Photo Film Co., Ltd., No. 210 Nakanuma, Minami-Ashigara-shi, Kanagawa, Japan.
8. ☒ A Preliminary Amendment is enclosed.
- 9a. ☒ Priority of Application No(s). 11-026605 filed in Japan on February 3, 1999 is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on February 3, 2000.
- 9b. ☐ Priority of International Appln. _____ filed on _____ under the Patent Cooperation Treaty and _____ Application No. _____ filed in _____ on _____ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.

10. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
11. ☒ Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

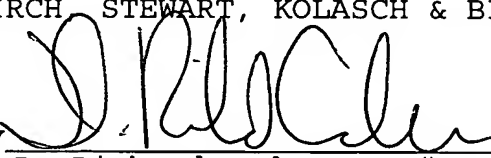
or
Customer No. 02292
12. ☐ An extension of time for _____ () month(s) until _____ has been submitted in parent Application No. 09/497,120 in order to establish co-pendency with the present application.
13. ☒ Also enclosed herewith is the following:

Co-pending Application Letter

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
D. Richard Anderson, #40,439

DRA/jdm
0879-0428P

P.O. Box 747
Falls Church, VA 22040-0747
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Attachment(s)

(Rev. 02/13/2004)

PATENT
0879-0428P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Masanori YOSHIDA et al. Conf.: Unassigned
Appl. No.: NEW - Div. of U.S. Group: Unassigned
Appl. 09/497,120
Filed: February 20, 2004 Examiner: UNASSIGNED
For: DIGITAL CAMERA

L E T T E R

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 20, 2004

Sir:

Under the provisions of MPEP § 2001.06(b), the Examiner is hereby advised of the following co-pending U.S. Application(s):

<u>Appl. No.</u>	<u>Filing Date</u>	<u>Group</u>
09/256,367	February 24, 1999	2712

The subject matter contained in the above-listed co-pending U.S. application(s) may be deemed to relate to the present application, and thus may be material to the prosecution of this instant application.

Copies of cited U.S. patent application(s) (specification, claims, and the drawings) or copies of the portion(s) of the

application(s) which caused it(them) to be cited, including any claims directed to such portion(s) are attached hereto.


☐ The materials in the envelope are considered trade secrets and are being submitted for consideration under MPEP § 724.

The above-listed co-pending application(s) is(are) not to be construed as prior art. By bringing the above-listed application(s) to the attention of the Examiner, Applicant(s) do(does) NOT waive any confidentiality concerning the above-listed co-pending application(s) or this application. See MPEP § 101. Furthermore, if said application(s) should not mature into patents, such application(s) should be preserved in secrecy under the provisions of 35 U.S.C. § 122 and 37 C.F.R. § 1.14.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
D. Richard Anderson, #40,439

DRA/jdm
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(Rev. 02/12/2004)